

REMARKS

Claim Changes

Claims 1 and 11 are amended to more clearly recite the claimed invention. Support for the changes can be found on FIG. 2 and FIG. 3 and the accompanying description in page 11, lines 12-14, page 8, lines 16-21, page 13, lines 15-17, and page 23, lines 14-17 of the specification as filed. Thus, no new matter is added.

No amendment made is related to the statutory requirements of patentability unless expressly stated herein. No amendment is made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment is made to distinguish over a particular reference or combination of references. Any remarks made herein with respect to a given claim or amendment is intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Rejection of claims 1-20 under 35 U.S.C. § 103 (a) as being unpatentable over US 5,930,362 (Daly) in view of US 5,642,401 (Yahagi)

Applicant has amended the claims to clarify the invention. Applicant therefore respectfully requests reconsideration of the rejection of claims 1-20 under 35 U.S.C. § 103 (a) as being unpatentable over Daly and Yahagi as herein amended.

Applicant respectfully submits that the combination of Daly and Yahagi does not teach or suggest all the claim limitations as set forth in independent claims 1 and 11 as amended. For example, independent claim 1 recites “generating, responsive to the authentication, a first dynamic key seed locally at the network based server” and “generating, responsive to the authentication, a *second dynamic seed locally at the client without utilizing the first dynamic seed.*” In addition, claim 1 is amended to include “generating a first application key independently at the network based server corresponding to the locally generated first dynamic seed, wherein the first application key is generated *without the client intervention*” and “generating a second application key *independently* at the client corresponding to the locally generated second dynamic seed, wherein the second application key is generated *without utilizing the first application key.*” Accordingly, the claims are amended to clarify that two dynamic seeds are generated independently of each other and two applications keys are also

generated independently of each other. Also, the first Application key is generated without the client intervention. This combination is not taught or suggested in the combination of Daly and Yahagi.

Daly discloses an encryption technology in which an authentication center transmits a partial key Y, a primitive element g, and a public modulus N to a mobile station 10. The mobile station uses the received values to calculate a partial key X. Further, the partial key X is transmitted to the authentication center. The authentication center then uses the received partial key X to calculate the A-key. See col. 4, lines 20-50 of Daly. Thus, the A-key (equated to Applicant's first dynamic seed) at the authentication center is generated based on the partial key X received from the mobile station, and not generated locally. In contrast, Applicant's claim recites "generating, responsive to the authentication, a first dynamic seed locally at the network based server."

Daly simply discloses that the authentication center generates a partial key Y. However, it makes no mention of generating the partial key that is corresponding to another locally generated seed/key. Also, Daly makes no mention that the partial key is an application key that is generated without the user intervention. In contrast, Applicant's claim, as amended, recites "generating a first application key *independently* at the network based server *corresponding to the locally generated first dynamic seed*, wherein the first application key is generated *without the client intervention*."

It appears that the Office Action equates Applicant's "application key" with Daly's partial keys X and Y. Daly discloses that the mobile station receives a partial key Y and utilizes such key along with N and g values to generate a partial key X. Thus, in Daly, the partial keys are generated based on the partial keys and other values (N and g) received from the cellular network, and are not generated independently as required by Applicant's claim. In contrast, Applicant's claim recites "generating a second application key independently at the client corresponding to the locally generated second dynamic seed, wherein the second application key is generated without utilizing the first application key."

It appears that the Office Action, in item 3, lines 13-16, equates Applicant's "second dynamic seed" with Yahagi's "authentication calculation result." Yahagi discloses that the mobile station receives the random numbers A and B along with an authentication calculation request, from the base station. Further, the authentication target 61 in the mobile station uses this random

number A along with other data to obtain an authentication calculation result A. See col. 7, lines 5-28 of Yahagi. Thus, Yahagi's "authentication calculation result" is obtained based on the random number received from the base station, and not obtained locally without using the base station's random number. In contrast, Applicant's claim recites "generating, responsive to the authentication, a second dynamic *seed locally at the client* without utilizing the first dynamic seed." Thus, Applicant's claims indicate how the two application keys are generated and they are generated independently of one another without using similar data. Therefore, Applicant respectfully requests reconsideration of claim 1, as amended, and requests to kindly withdraw the rejection.

Applicant's claim 11 feature "generating...a first dynamic seed locally at the network based server" and "generating...a second dynamic seed *locally* at the client, wherein the second dynamic seed is generated *without utilizing the first dynamic seed*," is similar to the features of claim 1. In addition, claim 11, as amended, recites "generating a first application key independently at the network base server based on the first dynamic seed" and "generating...a second application key *independently* at the client based on the second dynamic seed, wherein *the first application key is generated without the client intervention*," is similar to Applicant's claim 1 features which, as discussed above, is not taught or suggested in the combination of Daly and Yahagi. Therefore, Applicant respectfully requests reconsideration of claim 11, as amended, and requests to kindly withdraw the rejection.

Thus, Applicant's claims indicate how the application keys at a L3 layer are generated based on the authentication at a L2 layer in the same device, without exchanging the authentication keys/seeds between two devices such as server and client. Therefore, Applicant respectfully requests reconsideration of claims 1 and 11, as amended, and requests to kindly withdraw the rejection.

In view of the foregoing, Applicant respectfully submits that Daly or the combination of Daly and Yahagi does not disclose Applicant's above mentioned limitation. Applicant therefore submits that independent claims 1 and 11 are not unpatentable over Daly and Yahagi and therefore the rejection of claims 1 and 11 under 35 USC 103(a) is improper and should be withdrawn. Applicant respectfully requests that claims 1 and 11 may now be passed to allowance.

Dependent claims 2-10, and 12-20 depend from, and include all the limitations of independent claims 1 and 11. Therefore, Applicant respectfully requests the reconsideration of dependent claims 2-10, and 12-20 and requests withdrawal of the rejection.

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Such action is earnestly solicited by the Applicant. Should the Examiner have any questions, comments, or suggestions, the Examiner is invited to contact the Applicant's attorney or agent at the telephone number indicated below.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,
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